

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES D. RIEL,

Petitioner, No. CIV S-01-0507 LKK KJM

vs. DEATH PENALTY CASE

ROBERT L. AYERS, Jr.,
Warden of San Quentin
State Prison,

Respondent. ORDER

On July 8, 2009, the undersigned held a hearing on respondent's motions for discovery as well as petitioner's motions to preclude respondent's deposition of petitioner and to enjoin respondent's counsel from accessing or disclosing petitioner's CDCR records. In addition, the parties discussed disputes reflected in their June 19 joint statement on scheduling matters. Before the court rules on the parties' motions and finalizes a pre-evidentiary hearing schedule, the parties agreed to do two things by July 17, 2009. First, petitioner's counsel agreed to provide respondent's counsel with all documents relied upon by petitioner's experts. By July 17, the parties shall inform the court when those documents will be provided to respondent's counsel and confirm the identification of the documents provided. Second, petitioner's counsel agreed that he could identify his lay witnesses on a staggered basis rather than waiting until the

1 November date he initially suggested for the proper identification of them all. By July 17,
2 petitioner's counsel shall provide the court a proposed timeline for the identification of lay
3 witnesses and the provision of their declarations, incorporating the staggered schedule discussed
4 at hearing.

5 DATED: July 8, 2009.

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8 U.S. MAGISTRATE JUDGE
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